THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.26578 OF 2005

Dt.16.12.2005

Between:

Devara Charumathi … Petitioner

And

The Station House Officer,

Kushaiguda P.S., Ranga Reddy District. … Respondent

ORDER:

This writ petition is filed seeking writ of mandamus declaring the action on the part of the respondent in not registering and not investigating on the petitioner's report dated 26.11.2005 as illegal and arbitrary and consequently direct the respondent to register a crime and investigate the same.

It is stated that the petitioner filed a report before the respondent on 26.11.2005 making certain allegations against the wife of Samarpana Rao and Gajjela Joseph etc., for threatening her to kill on the allegation that she has developed illicit intimacy with Samarpana Rao, but the respondent has not registered the F.I.R., and no investigation has been made.

Heard learned counsel for the petitioner as well as the learned Government Pleader for Home on behalf of the respondent.

Having regard to the facts and circumstances of the case, I am not inclined to express any opinion on the said report as to whether any cognizable offence has been committed by the persons mentioned in the said report. However, it is for the respondent to come to the conclusion on the said report whether there is any allegation of committing cognizable offence by the said persons or not and if he comes to the conclusion that prima facie case has been made out to register F.I.R., he may take decision to register and investigate the same. If there is no prima facie case, as alleged in the complaint, the fact of closing the same may be intimated to the petitioner within two weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

(V.ESWARAIAH, J.)

16.12.2005

kpr